IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6653 of 2007(R)

CRIME NO.543/2007 OF THRISSUR EAST POLICE STATION

PETITIONERS :

---

1. REEJA, W/O.SONY, C.S., AGED 28 YEARS,
   CHALATHUR VALAPPIL HOUSE, CHIRAMANGAD P.O.,
   PANNITHADAM, THRISSUR.

2. SONY.C.S., S/O.C.A.SREENIVASAN,
   AGED 34 YEARS,
   CHALATHUR VALAPPIL HOUSE, CHIRAMANGAD P.O.,
   PANNITHADAM, THRISSUR.

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:

---

1. THE SUB INSPECTOR OF POLICE,
   EAST POLICE STATION, THRISSUR.

2. STATE OF KERALA REPRESENTED BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6653 of 2007

Dated this the 31st day of October 2007

O R D E R

Application for anticipatory bail. The petitioners are spouses. They face allegations under Section 420 read with 34 I.P.C. The crime has been registered on the basis of a private complaint filed by a bank which had offered a loan for purchase of a car. The crux of the allegations is that the car purchased by the petitioners was disposed of by the petitioners without making it available to the complainant to proceed for recovery of the amount.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioners can be granted anticipatory bail subject to appropriate terms and conditions.

3. In the result, this petition is allowed. Following directions are issued under Section 438 Cr.P.C in favour of the petitioners.

i) Petitioners shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 07/11/2007. They

shall be released on regular bail on condition that they execute bonds for Rs.25,000/-(Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 3 p.m on 08/11/2007 and 09/11/2007 and thereafter as and when directed by the investigating officer in writing to do so.

(iii) If the petitioners do not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioners and deal with them in accordance with law, as if these directions were not issued at all.

(iv) If they were arrested prior to 07/11/2007, they shall be released from custody on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 07/11/2007.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007